

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

CLARKSBURG DIVISION

ROBERT W. JOHNSON,

Plaintiff,

v.

CIVIL ACTION NO. 1:23-cv-00066

DONALD J. TRUMP, et al.,

Defendants.

ORDER

Pending before the Court are the following from Plaintiff: an Application to Proceed Without Prepayment of Fees and Costs, (ECF No. 2); a Letter-Form motion for default judgment, (ECF No. 6); a Letter-Form motion to add defendants and default judgment, (ECF No. 9); a Letter-Form motion to admit Gen Digital, Inc. as counsel for Plaintiff and for default judgment, (ECF No. 10); and a Letter-Form motion for default judgment, (ECF No. 13). By Order dated October 10, 2023, (ECF No. 14), this action was referred to United States Magistrate Judge Omar J. Aboulhosn for submission of proposed findings and a recommendation for disposition (“PF&R”). Magistrate Judge Aboulhosn filed his PF&R on October 13, 2023, recommending this Court deny Plaintiff’s application to proceed without fees, dismiss this action for failure to state a claim for which relief can be granted, and deny Plaintiff’s letter-form motions for default judgment, adding defendants and admitting counsel. (ECF No. 15.)

This Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the PF&R to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Failure to file timely objections constitutes a waiver of *de novo* review and Plaintiff's right to appeal this Court's order. 28 U.S.C. § 636(b)(1); *see also Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989); *United States v. Schronce*, 727 F.2d 91, 94 (4th Cir. 1984). In addition, this Court need not conduct a *de novo* review when a party "makes general and conclusory objections that do not direct the Court to a specific error in the magistrate's proposed findings and recommendations." *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982).

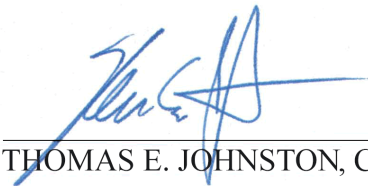
Objections to the PF&R in this case were due on October 30, 2023. (ECF No. 15.) To date, Plaintiff has failed to submit any objection in response to the PF&R, thus constituting a waiver of *de novo* review and Plaintiff's right to appeal this Court's order.

Accordingly, the Court **ADOPTS** the PF&R, (ECF No. 15), and **DENIES** Plaintiff's Application to Proceed *in Forma Pauperis*, (ECF No. 2), **DISMISSES** his "complaint" **WITH PREJUDICE**, (ECF No. 1), and **DENIES** Plaintiff's Letter-Form motions for default judgment, adding defendants and admitting counsel, (ECF No. 6, 9, 10, 13). The Court further **DIRECTS** the clerk to remove this matter from the Court's docket.

IT IS SO ORDERED.

The Court **DIRECTS** the Clerk to send a copy of this Order to the Defendant and counsel, the United States Attorney, the United States Probation Office, and the United States Marshal.

ENTER: December 5, 2023

A handwritten signature in blue ink, appearing to read "Th. Johnston", is written over a horizontal line.

THOMAS E. JOHNSTON, CHIEF JUDGE